

REPORT TO:	FINANCE AND MANAGEMENT COMMITTEE	AGENDA ITEM:15
DATE OF MEETING:	24 NOVEMBER 2022	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (CORPORATE RESOURCES)	OPEN
MEMBERS' CONTACT POINT:	KEVIN STACKHOUSE (595811) Kevin.stackhouse@southderbyshire.gov.uk	DOC: s:\cent_serv\complaints\committee reports\working papers for December 2022\Complaints and FOI report for 24 November 2022
SUBJECT:	COMMENTS, COMPLIMENTS, COMPLAINTS & FREEDOM OF INFORMATION REQUESTS 01 APRIL 2022 TO 30 SEPTEMBER 2022	REF: KS/TT/SH
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: FM11

1.0 Recommendations

- 1.1 That the comments, compliments, complaints, and FOI requests, as detailed in the report, are considered, and noted.

2.0 Purpose of Report

- 2.1 The report provides a summary of official comments, compliments, complaints, and Freedom of Information (FOI) requests received by the Council for the period 01 April 2022 to 30 September 2022. Details of individual complaints and requests etc, can be found at:
<https://www.southderbyshire.gov.uk/about-us/open-data-and-transparency>.
- 2.2 Figures for the corresponding period in 2021/22 are given for comparison purposes.

3.0 Executive Summary

Comments, Compliments and Complaints

- 3.1 The comments, compliments and complaints procedure are designed to encourage people to give informal feedback on Council services.
- 3.2 0 comments, 70 compliments and 50 complaints have been received between 01 April 2022 to 30 September 2022.
- 3.3 The number of complaints received in the first half of this financial year has decreased compared to the corresponding period of 2021/22 and the number of compliments received has increased.

3.4 Members are informed via e-mail (enclosing a copy of the original complaint) when a complaint is received relating to their ward. This is for information purposes only. A copy of the response letter sent to the complainant has been provided to Ward members from 01 June 2019.

Freedom of Information

3.5 The Council is committed to making itself open. A large amount of information is already available to the public, through for example, the Council's website and at community centres and village halls, etc.

Publication Scheme

3.6 Under the Freedom of Information Act, South Derbyshire District Council has a duty to adopt and maintain a Publication Scheme describing:

- The classes of information it publishes
- How and where such information is published (e.g., website, paper copy, etc.)
- Whether or not a charge is made for such information

The purpose of a Publication Scheme is to let everyone know what information will be automatically or routinely published by the Council and to ensure that a significant amount of information is available to the public, without the need for a specific request to be made.

In line with guidance from the Information Commissioner's Office, the scheme is updated regularly, and the current version is available from the Website at:

http://www.southderbyshire.gov.uk/council_and_democracy/data_protection_and_freedom_of_information/default.asp

3.7 A total of 165 Freedom of Information requests have been received from 01 April 2022 to 30 September 2022. This is an increase of 16 over the corresponding period for 2021/22.

4.0 Detail

Comments

4.1 0 comments were received over the past six months. Any comments received are carefully considered and if appropriate, are investigated under the Complaints Procedure.

Department	1 April 2021 – 30 September 2021	1 April 2022 – 30 September 2022
Department	0	0
Total	0	0

Compliments

- 4.2 The table below compares the number of compliments received for the first half of 2022/2023 against the first half of 2021/2022. Compliments generally relate to the quality of the service provided and/or actions of individuals.

Department	1 April 2021 – 30 September 2021	1 April 2022 – 30 September 2022
Customer Services	10*	12*
Housing Services	14	19*
Cultural and Community Services	3*	7*
Operational Services	18*	23*
Planning and Strategic Housing Services	6	2
Environmental Services	2	2
Legal and Democratic Services	1	0
Corporate Resources	0	2
Business Change and ICT	2	3
Total	56	70

* This indicates where one compliment has referred to two separate services

Complaints

- 4.3 The table below compares the number of official complaints received:

	1 April 2021 – 30 September 2021	1 April 2022 – 30 September 2022
Resolved at Stage 1	65	38
Stage 1 still ongoing	0	1
Resolved at Stage 2	8	8
Stage 2 still ongoing	1	1
Withdrawn	3	2
Total received	77	50

- 4.4 The complaints received can be broken down as follows:

Department	1 April 2021 – 30 September 2021	1 April 2022 – 30 September 2022
Organisational Development and Performance	1*	1
Customer Services	16*	17
Finance Services	2*	0
Housing Services	21*	10*
Cultural and Community Services	2*	2
Operational Services	19*	13*
Planning and Strategic Housing Services	10	4
Environmental Services	4*	1

Legal and Democratic Services	2*	1
Business Change and ICT	0	1
Total	77	50

* This indicates where one complaint has referred to more than one service

4.5 For comparison, the table below shows the total number of complaints over the last four complete years:

Department	2018/19	2019/20	2020/21	2021/22
Organisational Development and Performance	1*	1	1	1*
Finance Services **	1	1	1	2*
Corporate Property Services **	2	2	2*	0
Customer Services	13*	18	5	20*
Housing Services	24	26	36	44*
Cultural and Community Services	7	10	6*	12*
Planning and Strategic Housing Services	16*	14	14	23
Environmental Services **	26*)	12	6	6*
Operational Services **)	22	29	33*
Legal and Democratic Services	7	5	5	2*
Economic Development and Growth	0	0	0	1
Business Change and ICT	0	0	0	1
Chief Executive	0	0	0	2
Total	97	111	105	147

* This indicates where one complaint has referred to two separate divisions.

** This indicates where Finance and Corporate Property Services, Environmental and Operational Services were counted as one service for the years 2018/19.

4.6 Managers dealing with the complaint are asked to complete a questionnaire following each complaint. This provides details of actions taken and improvements made because of a complaint.

4.7 From 01 April 2022 complainants have been asked to complete a complaint satisfaction questionnaire. This is to ascertain the satisfaction rate with the way in which the complaint was handled.

46 were issued from 01 April 2022 to 30 September 2022 and 6 returned. Of these questionnaires returned complainants were satisfied overall with the handling of the complaint's procedure, however, not necessarily satisfied with the outcome.

4.8 If a complaint cannot be resolved at Stage 2 of the Council's procedure, it can be taken to the Local Government Ombudsman for independent consideration. These complaints are the subject of a separate annual report.

Freedom of Information Requests

- 4.9 Although the Freedom of Information Act 2000 creates a general right of access to information, it also sets out information that the Council does not have to make available for specific reasons. This is information, which, if published, might prejudice the health, safety or security of the Council, its staff, systems, services, or property.
- 4.10 As much information is made available as possible without charging for it. The Council, however, reserves the right to levy a reasonable charge where the information request is extensive and would require more than two days' staff time to satisfy the request.
- 4.11 The Council deals with hundreds of routine requests for information every day. These are referred to as "business as usual requests". However, information that is not readily available and that has to be prepared or extracted is handled differently. The Council is entitled to make a charge for this kind of information.
- 4.12 Requests for information under Freedom of Information must be processed within 20 working days. However, requests for details under the Freedom of Information Act can be turned down if they fall within certain exemption criteria.
- 4.13 The table below compares the Freedom of Information requests received for the first half 2021/2022 against the first half of 2022/2023.

Note: the figures also include any requests that have been made under EIR (Environmental Information Regulations).

	1 April 2021 – 30 Sept 2021	1 April 2022 – 30 Sept 2022
Total Number of Requests Received	149	165
Less passed to other organisations	13	24
Less those withdrawn or duplicate requests	2	2
Less exemptions/partial exemptions	9	4
Total Requests Answered	125	135
Number replied to within 20 statutory days	100	119
Number replied to after 20 statutory days	25	16
Percentage replied to within 20 statutory days	80%	88%
Percentage replied to after 20 days	20%	12%

- 4.14 The above table shows that the response times increased overall to 88% in the first half of 2022/23.
- 4.15 The requests for information received can be broken down as follows:

Department	1 April 2021 – 30 September 2021	1 April 2022 – 30 September 2022
Corporate Resources	0	0
Finance Services	7*	17*

Organisational Development and Performance	8*	9*
Business Change and ICT	13*	9*
Corporate Property Services	7*	4*
Customer Services	21*	24*
Environmental Services	20*	25*
Housing Services	17*	12*
Cultural and Community Services	6*	6*
Operational Services	8*	8*
Planning and Strategic Housing Services	15*	10*
Legal and Democratic Services	12*	15*
Economic Development and Growth	1	1*
All Departments	0	1
Passed to 3 rd Parties	13*	24*

* Same request has involved several Services.

5.0 Financial Implications

5.1 None directly stemming from this report.

6.0 Corporate Implications

6.1 Under the Complaints procedure the Council will write to the complainant within five working days, telling them who is dealing with their complaint and when they can expect to receive a reply. In most cases a full reply will be sent within 10 working days.

6.2 Under the Freedom of Information Act the Council must respond to any requests received within 20 working days. For many requests the information required affects several areas of the Council. Consequently, a coordinated approach must be taken in the Council's response, with each service area being responsible for providing the information requested relating to their area.

7.0 Community Implications

7.1 None.

8.0 Background Papers

None.